

REMARKS

The Office Action of February 24, 2006, has been received and considered. Claims 1, 10, 11, 13, 32, 35, 36 and 38 have been amended and claims 45-46 added. Claims 15-31 and 33-34 have been canceled. Claims 1-14, 32 and 35-46 are currently pending. Reconsideration of the application as amended is requested.

Claims 1 has been rejected under 35 USC 102 as being anticipated by US Patent 6,729,052 to Ollinger. Ollinger, however, fails to disclose a retainer movable between a locking position to hold the lock body in the opening of the wear member and release position to permit removal of the lock from the opening in the wear member as claimed. In the Office Action, the retainer of Ollinger is asserted to be lips 141, 143. However, these lips are neither movable nor operable to retain the lock in the opening of the wear member. Rather, these lips are simply a part of the C-shaped body member to contain the movable inner part 129 and resilient member 131 within the body. Ollinger does not, then, anticipate claim 1.

Claim 1 has also been rejected under 35 USC 102 as being anticipated by US Patent 5,983,534 to Robinson. In Robinson, there is one opening (i.e., bore 90) that extends through the lock body and opens in the front and rear walls as claimed. A spring 102, a detent 68 and a plug member 100 are received in the opening. Plug member 100 includes a head that seats against a counter-bore in opening 90 to close the front end of the bore and contain spring 102 and detent 68 in the bore. Plug member 100 appears to simply facilitate manufacturing; that is, it appears that plug 100 is simply intended to close the front of the opening after the detent and spring have been placed into the opening to

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prevent their loss and give the spring a base to push against. There is no teaching in Robinson that plug 100 is threaded into the hole "for adjustment so as to selectively expand the lock and thereby tighten the mounting of the wear member on the structure." The lock would not expand with threading of the plug. Rather, it appears that the plug 100 is threaded against the seat in opening 90 during manufacture and not likely moved during use. Moreover, even if plug 100 were moved during use, it would only work to compress spring 102 - not expand the lock. Accordingly, Robinson does not anticipate claim 1.

Claim 1 has also been rejected under 35 USC 103 on the basis of US Patent 5,853,048 to Jones in view of Robinson. The Office Action notes that Jones does not disclose a resilient member. As noted above Robinson fails to disclose a resilient member that is compressed by tightening of a threaded member to apply a continuous biasing force against the wear member as claimed. Since neither reference discloses this feature of the invention, the claim would not have obvious to one of ordinary skill in the art.

Claim 10 has been rejected under 35 USC 102 as being anticipated by US Patent 5,802,752 to Quarfordt. While this patent discloses a curved lock with a concave side and a convex side facing in opposite directions, it does not include a take-up element that is transverse to the first and second directions. Rather, in Quarfordt, the longitudinal part 16 and the metal plate 22 face in the first and second directions. Hence, this patent does not anticipate claim 10.

Similarly, Quarfordt also fails to disclose a lock having an elongate body provided with first and second ends at opposite ends of the longitudinal axis, wherein the

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first end is wider than the second end as recited in new claim 45. In Quarfordt, it appears that the ends of the body, i.e., at the ends of its longitudinal axis, are the same.

Claim 14 has been rejected under 35 USC 103 as being obvious on the basis of Ollinger in view of US Patent 5,410,826 to Immel. However, neither reference discloses the use of a threaded member provided with a thread deformation to prevent loosening of the threaded member. In Immel, nut 33b is tightened to draw the wedges together. However, the nut is not a thread deformation on the threaded member. The word "deformation" is defined to mean: "an alteration of shape, as by pressure or stress" or "the shape that results from such an alteration" (The American Heritage Dictionary of the English Language, Fourth Edition, 2000, Houghton Mifflin Company), "an alteration in shape or structure of a previously normally formed part" or a "deformity" (The American heritage Stedman's Medical Dictionary, 2002, Houghton Mifflin Company), or "an alteration in the shape or dimensions of an object as a result of the application of stress to it" (WordNet 2.0, 2003, Princeton University). In the context of the specification, the claimed deformation is a change in the normal thread pattern that resists loosening of the threaded member in the body. There is no such construction disclosed or suggested in Immel. Therefore, this claim would not have been obvious to one of ordinary skill in the art based upon the cited references.

Claim 32 has been rejected under 35 USC 102 as being anticipated by Ollinger. In Ollinger, though, the resilient member 131 surrounds the threaded member 133 and is not "axially aligned" with the threaded member as claimed. Accordingly, Ollinger does not anticipate this claim.

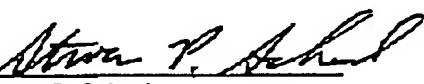
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Claim 38 has been rejected under 35 USC 102 as being anticipated by Quarfordt. Nevertheless, as discussed above in regard to claim 10, Quarfordt does not disclose "a take-up element projecting from the body in a third direction transverse to the first and second directions for tightening the connection of the wear member on the structure" as claimed. Hence, this claim is not anticipated by Quarfordt.

The remaining claims all depend from one of the above-discussed claims and are believed to be allowable for the reasons given above. Therefore, it is submitted that claims 1-14, 32 and 35-46 are now allowable. A notice to this effect is solicited.

Respectfully submitted,

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